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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,735	01/22/2002	Christopher Tzann-En Szeto	YHOOP002	2794

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HICKMAN PALERMO TRUONG & BECKER, LLP
2055 GATEWAY PLACE
SUITE 550
SAN JOSE, CA 95110

EXAMINER
MANIWANG, JOSEPH R

ART UNIT	PAPER NUMBER
2144	

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/057,735	SZETO ET AL.
	Examiner	Art Unit	
	Joseph R. Maniwang	2144	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 November 2005*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This Action is in regards to the Amendment and Reply received on 16 November 2005.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 5, 7, 9-19, 22-25, 29-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Nachman et al (2001/0027474) in view of Kim (2001/0018658).

As per claims 1, 34 and 37, Nachman discloses receiving an indication that the guest user desires

to communicate with the registered user by instant messaging; sending to a client computer system

associated with the guest user browser-executable computer code comprising computer instructions for

providing at least limited instant messaging functionality to the guest user at the client computer system,

without requiring the guest user to download and install client side instant messaging application

software; and facilitating an instant messaging session between the guest user and the registered user

(paragraphs [0034], [0035], [0042]). Nachman does not teach not requiring the guest user to register as a

user of the instant messaging system. However, Kim teaches not requiring the guest user to register as a

user of the instant messaging system (paragraphs [0041 and 0061]. Furthermore, Kim teaches wherein

the initial indication specifically identifies the selected registered user with whom the guest user desires

to communicate [0051]. Thus, it would have been obvious to one skill in the art to combine Nachman's

invention with Kim's guest user system in order to enhance user's convenience and usability of virtual worlds by means for representing a user by a representative in the virtual world.

As per claim 2, Nachman teaches delivering instant messaging from the guest user to the registered user (paragraphs [0005], [0043], [0043]).

As per claim 3, Nachman does not teach an entry point configured to receive an indication from the guest user that the guest user desires to communicate with the registered user by instant messaging. However, Kim teaches it in paragraphs [0038], [0039]. Thus, it would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system in order to enhance user's convenience and usability of virtual worlds by means for representing a user by a representative in the virtual world.

As per claim 5, Nachman does not teach the entry point is provided in a web page associated with the registered user. However, Kim teaches it in paragraphs **[0005], [0022], [0023], [0041]**. Thus, it would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system in order to enhance user's convenience and usability of virtual worlds by means for representing a user by a representative in the virtual world.

As per claim 7, Nachman teaches the code written in HTML (paragraph [0035])

As per claim 9, Nachman does not teach receiving an indication from the registered user that the inviting user would like to incorporate into a web page associated with the registered user an entry point configured to receive an indication from the guest user that the guest user desires to communicate with the inviting user by instant messaging. However, Kim teaches it in paragraphs [0038], [0039], [0041]. Thus, it would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system in order to enhance user's convenience and usability of virtual worlds by means for representing a user by a representative in the virtual world.

As per claim 10, Nachman teaches the computer code comprising a browser executable instant messaging client (paragraph [0035]), for format instructions, HTML specifies standard tags, which are interpreted by a browser. HTML allows the generation of highly sophisticated documents, which can be linked with other data types (primarily graphics and other documents, but also video and sound clips).'

As per claim 11, Nachman teaches a functional equivalent function of DHTML, which provides defined extensions to the original HTML specifications that permit a page to react to user input without sending requests to the web server. These extensions permit embedded script or code within the page transfer' (paragraph [0037]).

As per claims 12, 31 and 32, Nachman teaches JavaScriptNBScript code, which provides a fast and simple way to incorporate functionality into Web pages rather than employ Java directly' (paragraphs [0034], [0037]).

As per claims 13 and 33, Nachman teaches instructions in ActiveX (paragraph [0034]).

As per claim 14, Nachman does not teach assigning a temporary user ID to the guest user. However, Kim teaches it in paragraph [0050]. Thus, it would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system in order to enhance user's convenience and usability of virtual worlds by means for representing a user by a representative in the virtual world.

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[1] **LexiCat Dictionary Copyright 1995-1998 TRA All rights reserved.**

As per claim 15, Nachman does not teach, assigning a unique temporary user ID to the guest user

during the period of time, which is assigned to the guest user. However, Kim teaches it in paragraphs [0050], [0060]. Thus, it would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system in order to enhance user's convenience and usability of virtual worlds by means for representing a user by a representative in the virtual world.

As per claim 16, Nachman does not teach the temporary user identification is at least temporally deactivated upon termination of the instant messaging session between the guest user and the registered user. However, Kim teaches it in paragraph [0050]. Thus, it would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system in order to enhance user's convenience and usability of virtual worlds by means for representing a user by a representative in the virtual world.

As per claims 17 and 18, Nachman does not teach the number of temporary user identifications that may be assigned at any given time to the IP address associated with the client computer system is limited. However, Kim teaches it in paragraphs [0060], [0061]. As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope. Further, language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. Thus, it would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system in order to enhance user's convenience and usability of virtual worlds by means for representing a user by a representative in the virtual world.

As per claim 19, Nachman does not teach displaying a name by which the guest user may be identified to the registered user. However, However, Kim teaches it in paragraphs [0058], **[0060],** [0061]. As a general matter, the grammar and intended meaning of terms used in a claim will dictate

whether the language limits the claim scope. Further, language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. Thus, it would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system in order to enhance user's convenience and usability of virtual worlds by means for representing a user by a representative in the virtual world.

As per claim 22, Nachman does not teach the computer code is configured to display an instant messaging window to the guest user. However, However, Kim teaches it in paragraphs [0058], [0060], [0061]. As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope. Further, language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. Thus, it would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system in order to enhance user's convenience and usability of virtual worlds by means for representing a user by a representative in the virtual world.

As per claim 23, Nachman does not teach the instant messaging window comprises an area for displaying message sent by either the guest user or the registered user. However, Kim teaches it in paragraphs [0058], [0060], [0061]. As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope. Further, language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. Thus, it would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system in order to enhance user's convenience and usability of virtual worlds by means for representing a user by a representative in the

virtual world.

As per claim 24, Nachman does not teach the instant messaging window comprises an area for entering the text of a message to be sent and displayed to the registered user essentially in real time. However, Kim teaches it in paragraphs [0058], [0060], [0061]. As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope. Further, language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim **limitation.** Thus, it **would have** been **obvious to one** skill in the art to combine Nachman's invention with Kim's guest user system in order to enhance user's convenience and usability of virtual worlds by means for representing a user by a representative in the virtual world.

As per claim 25, Nachman does not teach advising the advising the registered user that the guest user is not a registered user. . However, Kim teaches it in paragraphs [0058], [0060], [0061]. As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope. Further, language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. Thus, it would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system in order to enhance user's convenience and usability of virtual worlds by means for representing a user by a representative in the virtual world.

As per claim 29, Nachman discloses receiving an indication that the guest user desires to communicate with the registered user by instant messaging; determining whether the client.

side instant messaging application software associated with the instant messaging system is installed in the client computer system (paragraphs [0033], [0034], [0037], [0038]); sending to a client computer system associated with the guest user browser-executable computer code comprising computer instructions for providing at least limited instant messaging functionality to the guest user at the client computer system, without requiring the guest user to download and install client side instant messaging application software; and facilitating an instant messaging session between the guest user and the registered user(paragraphs [0034], [0035], [0042]). Nachman does not teach not requiring the guest user to register as a user of the instant messaging system. However, Kim teaches not requiring the guest user to register as a user of the instant messaging system (paragraphs [0041], [0060]). Thus, it would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system in order to enhance user's convenience and usability of virtual worlds by means for representing a user by a representative in the virtual world.

As per claim 30, Nachman does not teaches in the event it is determined that the client side instant messaging **application** software associated with the instant messaging system is installed in the client computer system, activating and using the installed client side instant messaging **application** software to enable the invited user to communicate with the inviting user by instant messaging. However, Kim teaches it in paragraphs **[0031]-[0041]**. Thus, it would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system in order to enhance user's **convenience** and usability of virtual worlds by means for representing a user by a representative in the virtual world.

As per claims 35 and 36, Nachman teaches a plurality of servers in paragraphs **[0004], [0008],**

[0012], [0013].

Claims 6, 20, 21 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Nachman et al (2001/0027474) in view of Kim (2002/0018658), further in view of Furui et

al (2002/0169875).

As per claim 6, neither Nachman nor Kim teaches the entry point is provided in an electronic

document associated with the registered user. However, Furui teaches it in paragraphs [0097]. Thus, it

would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user

system and Furui's document in **order to enable** selective **provision of appropriate information,** by a

site whereat only limited access is permitted, consonant with the access rights of the source of a request

for information.

As per claim 20, neither Nachman nor Kim teaches determining if the guest user is signed in as a

user of other service; and if the user is signed in as a user of the other service, using the user name

associated with the guest user with respect to other service as display name to identify the guest user to

the registered user. However, Furui teaches it in paragraphs [0078], [0098], [0118]. Thus, it would have

been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system and

Furui's cookie information in order to enable selective provision of **appropriate** information, by a site

whereat only limited access is permitted, consonant with the access rights of the source of a request for

information.

As per claim 21, neither Nachman nor Kim teaches the cookie information is used to determine if

the guest user is signed in as a user of the other service. However, Furui teaches it in paragraphs [0078], [0098], [0118]. Thus, it would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system and Furui's cookie information in order to enable selective **provision of appropriate information,** by a site whereat only limited access is permitted, consonant with the access rights of the source of a request for information.

As per claim 26, neither Nachman nor Kim teaches disabling, at least with respect to the guest user, at least one feature of the client side instant messaging **application** software installed on said registered user client computer system. However, Furui teaches it in paragraphs [0075], [0095], [0096], [0097]. Thus, it would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system and Furui's disabling feature (limited access) in order to enable selective **provision** of **appropriate information, by** a site whereat only limited access is permitted, consonant with the access rights of the source of a request for information.

As per claim 27, Nachman teach the disabled feature is one that would otherwise have allowed the registered user to add the temporary user identification assigned to the guest user to a list of users whose online presence is monitored by the client side instant messaging application software installed on the second client computer. However, Furui teaches it in **paragraphs** [0075], [0097] and Kim's paragraphs [0013]-[0014], [0032]. Thus, it would have been obvious to one skill in the art to combine Nachman's invention with Kim's guest user system and Furui's disabling feature (limited access) in order to enable selective provision of appropriate information, by a site whereat only limited access is permitted, consonant with the access rights of the source of a request for information.

As per claim 28, codes represent information by substituting the symbols used to express

information with different symbols, for either the purpose of security, known as enciphering, or

to process and manipulate information more effectively, known as encoding. Therefore, if the

guest user has limited access, the disable feature is one that the **computer** code sent **to** the guest

user's **computer system does** not **support (Nachman's paragraph [0038]).**

Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nachman

et al (2001/0027474) in view of Kim (2002/0018658), further in view of Gupta (2002/0099777).

As per claims 4 and 8, neither Nachman nor Kim incorporates an email messages as an entry

point configured to receive an indication from a user that someone else desires to communicate using

instant messaging. However, Gupta teaches it in paragraph [0143). Thus, it would have been obvious to

one skill in the art to combine Nachman's invention with Kim's guest user system and Gupta's email

notification in order to simplify the ability to track discussions and facilitate collaborative decision

making while at the same time avoiding electronic mail clutter.

disabling feature, it should disable something. The language use by the applicant does not clearly define the

metes and bounds of the invention.

Response to Arguments

Applicant's arguments filed on 16 November 2005 have been carefully considered but they are

not deemed fully persuasive. However, because there exists the likelihood of future presentation

of this argument, the Examiner thinks that it is prudent to address applicants' main points of contention.

A. Applicant argues that nothing in Kim teaches or suggests "receiving an initial indication that the guest user desires to communicate with a selected registered user by instant messaging, wherein the initial indication specifically identifies the selected registered user with whom the guest user desires to communicate with."

As to "Point A", it is the position of the Examiner that Kim does discloses this at section 0051 Wherein it discloses once a that when a user who has been a helper may be able to communicate with other users who have had helper-helpee relations (registered users).

Conclusion

2.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

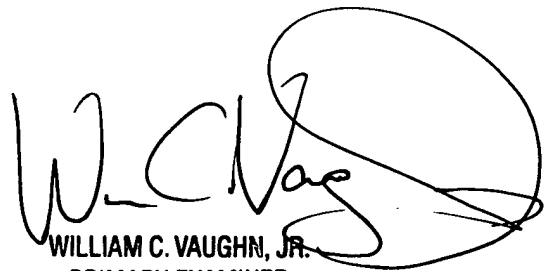examiner should be directed to Joseph Maniwang whose telephone number is (571) 272-3928.

The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William C. Vaughn, Jr. can be reached on (571) 272-3922. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

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applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Maniwang
Patent Examiner
Art Unit 2144

JM

WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER